

seized by the Drug Enforcement Administration on August 12, 2019, in the District of New Mexico.

4. The Defendant Currency is now, and during the pendency of this action will be, in the jurisdiction of this Court.

JURISDICTION AND VENUE

5. The United States District Court for the District of New Mexico has subject matter jurisdiction under 28 U.S.C. §§ 1345, 1355(a) and 1356.

6. Venue for this civil forfeiture action is proper in this district pursuant to 28 U.S.C. §§ 1355 and 1395, as acts or omissions giving rise to the forfeiture took place in this district and the property is found in this district. Upon the filing of this complaint, the Defendant Currency will be arrested by execution of a Warrant for Arrest *In Rem* in the District of New Mexico.

FACTS

7. On August 15, 2019, law enforcement agents with the Drug Enforcement Administration (DEA) Region I Task Force executed a Federal Search and Seizure Warrant at the Best Western Plus Montezuma Inn & Suites, Room 310A, located at 2020 North Grand Ave, Las Vegas, New Mexico.

8. Room 310-A was registered in the name of Sharlett M. Martinez. During the search, DEA agents discovered \$9,950 in U.S. currency in Ms. Martinez's purse.

9. Ms. Martinez stated that Robert Corbin Padilla had given her the money. Mr. Padilla had been indicted on drug trafficking charges.

10. DEA TFO Jason D. Franklin deployed a canine trained and certified to detect the odor of illegal controlled substances. The canine alerted positively to the \$9,950 in currency.

11. On August 12, 2019, DEA Group 3 Task Force, with the assistance of the Albuquerque Police Department, executed a Federal Search and Seizure Warrant at 8407 San Juan Road NE, Albuquerque, New Mexico, the residence of Robert Corbin Padilla, to facilitate the removal of a black 2008 GMC Yukon from the public roadway in front of the residence and transported it to the Albuquerque Office of the DEA for further inspection. A review of the New Mexico Vehicle Registration revealed that Robert Corbin Padilla was the registered owner. Agents discovered a large bundle of U.S. Currency in the center console. The currency totaled \$1,243.00. The Black 2008 GMC Yukon XL was used by Robert Corbin Padilla on March 30, 2019, and again on April 10, 2019, to facilitate the distribution of multiple controlled substances.

12. On August 15, 2019, during the execution of federal search and seizure warrants at 8407 San Juan Road NE; Albuquerque, NM and at 8411 San Juan Road NE; Albuquerque, NM, a white 2008 Nissan Armada was parked at 8407 San Juan Road NE. During a search of the 2008 Nissan Armada, agents discovered a large bundle of U.S. currency inside the center console. The currency totaled \$2,000. A review of the New Mexico Motor Division records revealed three registered owners of the 2008 White Nissan Armada. Robert Corbin Padilla was not one of the three owners.

13. DEA TFO Jason D. Franklin deployed a canine trained and certified to detect the odor of illegal controlled substances. The canine alerted positively to the \$2,000 in currency.

FIRST CLAIM FOR RELIEF

14. The United States incorporates by reference the allegations in paragraphs 1 through as though fully set forth.

15. Title 21, United States Code, Section 881(a)(6) subjects to forfeiture “[a]ll moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished

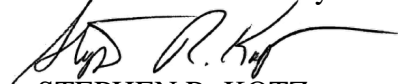
by any person in exchange for a controlled substance or listed chemical in violation of this subchapter, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of this subchapter.”

16. Defendant Currency was furnished, or intended to be furnished, in exchange for a controlled substance, or constitutes proceeds traceable to such an exchange, or was used or intended to be used to facilitate a violation of the Controlled Substances Act and is thus subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6).

WHEREFORE: Plaintiff seeks arrest of Defendant Currency and forfeiture of same to Plaintiff, determination of the validity and priority of claims of the Claimants and any Unknown Claimants to the Defendant Currency, costs and expenses of seizure and of this proceeding, and other proper relief.

Respectfully submitted,

JOHN C. ANDERSON
United States Attorney

A handwritten signature in black ink, appearing to read "Stephen R. Kotz", is written over the printed name.

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28 U.S.C. § 1746 DECLARATION

I am a Special Agent with the Drug Enforcement Administration who has read the contents of the Complaint for Forfeiture *In Rem* to which this Declaration is attached; and the statements contained in the complaint are true to the best of my knowledge and belief.

I declare under penalty of perjury and the laws of the United States of America that this Declaration is true and correct, except as to matters stated on information and belief, and as to those matters I believe them to be true.

Dated: May 12, 2020

Thomas D. Long
Thomas D. Long, Special Agent
Drug Enforcement Administration

